

CIVIL MINUTES  
5/13/11 BENCH TRIAL (DAY FIVE)  
C2-07-126, TACKETT, ET AL. V. M & G POLYMERS USA, LLC., ET AL.

PLAINTIFFS COUNSEL: DAVID COOK, JENNIE ARNOLD & LAURA FISCHER  
DEFENDANTS COUNSEL: PHIL MISCIMARRA, CHRISTOPHER WEALS, DEBORAH  
DAVIDSON & JOHN RICHARDS  
COURT REPORTER: DENISE ERRETT & SHAWNA EVANS  
COURTROOM DEPUTY: SCOTT MILLER

After the Judge's ruling on the objections of the deposition designations for Duane Lee, the Court admits Plaintiffs Exhibits 307 & 308 (already admitted), 72 (not admitted), 60 (not admitted), 62 (admitted), 63 (not admitted), 68 (admitted), 309 (not admitted), 117 (not admitted), 100 (not admitted), 118 (not admitted), 71 (not admitted), 106 (admitted), 108 (admitted), 114 (not admitted), 121 (admitted), 127 (admitted), 128 (admitted), 129 (admitted), 130 (admitted), 131 (admitted), 133 (admitted), 147 (admitted), 169 (admitted), 310 (admitted), 122 (admitted), 175 (admitted), 177 (admitted), 182 (admitted), 184 (admitted), 186 (admitted), 187 (admitted), 197 (admitted), 311 (admitted), 190 (admitted), 189 (not admitted), 195 (admitted), 198 (admitted), 199 (admitted), 200 (admitted), 201 (admitted), 208 (admitted), 216 (admitted), 217 (admitted), 218 (admitted), 219 (admitted), 220 (admitted), 223 (admitted), 312 (not admitted), 61 (admitted), 112 (admitted), 116 (not admitted), 134 (not admitted), 196 (admitted), 265 (not admitted), 228 (admitted), 240 (admitted), 241 (admitted), 255 (admitted), 272 (not admitted), 269 (not admitted at the time), 266 (not admitted), 313 (not admitted), 342 (not admitted), 134 (admitted), 292 (admitted).

Plaintiffs rest subject to rebuttal.

Defendants move for judgment as a matter of law, which the Courts denies.

Defendants call Kimm Korber to the stand.

Mr. Korber testified to Defendants Exhibits 48 (pages 26714-16, 26750-51...admitted over objection), 52 (admitted), 73 (already admitted), 76 (admitted), 79 (admitted over objection), 85 (admitted), 110 (already admitted as Plaintiff's 180), 122 (admitted over objection), 124 (admitted), 138 (admitted), 143 (admitted over objection), 145 (admitted over objection), 152 (admitted), 153 (admitted), 163 (admitted), 180 (admitted), 186 (admitted), 199 (admitted), 213 (admitted), 276 (admitted over objection), 309 (admitted)

Mr. Korber testified to Plaintiffs Exhibits 152 (already admitted)

Mr. Korber testified to Joint Exhibits 12 (admitted), 13 (already admitted), 32 (previously admitted), 37 (previously admitted)

Cross examination of Mr. Korber by Mr. Cook.

Mr. Korber testified to Plaintiffs Exhibits 99 (already admitted), 100 (not offered), 102 (previously admitted), 116 (admitted), 118 (admitted), 127 (already admitted), 128 (already admitted), 135 (admitted), 178 , 183 (admitted), 185 (admitted), 191 (admitted), 196 (admitted), 198 (admitted), 217 (admitted), 223 (admitted), 255 (not offered), 269 (admitted), 271 (admitted), 277 (pages 1-36), 309 (not offered), 312 (not offered), 313 (not offered) , 341 (admitted), 342 (not offered)

Mr. Korber testified to Joint Exhibits 1, 5, 7, 9, 38 ( all admitted),  
Mr. Korber testified to Defendants Exhibits 59 (admitted), 178 (admitted), 210 (admitted), 220  
(not offered), 276 (already admitted)  
Redirect examination of Mr. Korber by Mr. Weals  
Mr. Korber testified to Defendants Exhibits 48  
Mr. Korber testified to Joint Exhibits 7  
Re-cross examination of Mr. Korber by Mr. Cook